

TUPELO CITY COUNCIL MEETING AGENDA
MARCH 20, 2018
6:00 P.M.

| | |
|------------------------------|------------------------------|
| <u>INVOCATION:</u> | COUNCILMAN LYNN BRYAN |
| <u>PLEDGE OF ALLEGIANCE:</u> | COUNCILWOMAN NETTIE Y. DAVIS |
| <u>CALL TO ORDER:</u> | PRESIDENT MARKEL WHITTINGTON |

CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER

4. PROCLAMATIONS, RECOGNITIONS, AND REPORTS AGENDA

- | | | |
|----|-----|---|
| JS | 4.1 | RECOGNITION OF BOY/GIRL SCOUTS |
| JS | 4.2 | RECOGNITION OF CITY EMPLOYEES |
| JS | 4.3 | RECOGNITION OF ACCOUNTABILITY TASK FORCE |
| JS | 4.4 | PROCLAMATION RECOGNIZING AUTISM AWARENESS MONTH |
| | 4.5 | PUBLIC RECOGNITIONS |
| JS | 4.6 | MAYOR'S REPORT |

(CLOSE REGULAR MEETING AND OPEN PUBLIC AGENDA)

5. PUBLIC AGENDA

5.1 PUBLIC HEARINGS

NO ITEMS

5.2 CITIZEN HEARINGS

5.2A CITIZEN HEARTING REGARDING AN ORDINANCE
ESTABLISHING A LEISURE AND RECREATION DISTRICT
WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF
TUPELO, MISSISSIPPI – MR. SHIPMAN SLOAN

5.2B CITIZEN HEARTING REGARDING AN ORDINANCE
ESTABLISHING A LEISURE AND RECREATION DISTRICT
WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF
TUPELO, MISSISSIPPI – MR. VOZ VANELLI

TUPELO CITY COUNCIL MEETING AGENDA

MARCH 20, 2018

6:00 P.M

- 5.2A CITIZEN HEARTING REGARDING AN ORDINANCE
ESTABLISHING A LEISURE AND RECREATION DISTRICT
WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF
TUPELO, MISSISSIPPI – MR. BRAD FRANKS

(CLOSE PUBLIC AGENDA AND OPEN REGULAR SESSION)

6. ACTION AGENDA

- 6.1 REVIEW, APPROVE, REJECT AN ORDINANCE ESTABLISHING
A LEISURE AND RECREATION DISTRICT WITHIN THE
CORPORATE BOUNDARIES OF THE CITY OF TUPELO,
MISSISSIPPI BY ADDING ARTICLE III TO CHAPTER 5 CITY OF
TUPELO CODE OF ORDINANCES; DESIGNATING THE
GEOGRAPHIC AREA INCLUDED WITHIN AND BOUNDARIES OF
SAID DISTRICT; AMENDING RELATED PROVISIONS OF CODE
OF ORDINANCES, CHAPTER 5 ARTICLES 1 AND 2; AND FOR
RELATED PURPOSES

7. REGULAR AGENDA

- 7.1 REVIEW, APPROVE, REJECT MINUTES OF THE FEBRUARY 15,
2018 SPECIAL CALL COUNCIL MEETING
- 7.2 REVIEW, APPROVE, REJECT MINUTES OF THE MARCH 6, 2018
REGULAR COUNCIL MEETING
- 7.3 REVIEW, APPROVE, REJECT ADVERTISING AND PROMOTIONAL
EXPENSE LIST
- 7.4 REVIEW, PAY BILLS
- JS 7.5 REVIEW, ACCEPT, REJECT RE-APPOINTMENTS TO THE
NORTHEAST MS REGIONAL WATER SUPPLY DISTRICT
- JS 7.6 REVIEW, ACCEPT, REJECT APPOINTMENTS TO THE LICENSE
COMMISSION
- JC 7.7 REVIEW, ACCEPT, REJECT MINUTES OF THE FEBRUARY 12,
2018 MAJOR THOROUGHFARE PROGRAM MEETING
- AF 7.8 REVIEW, ACCEPT, REJECT MINUTES OF THE FEBRUARY 13,

TUPELO CITY COUNCIL MEETING AGENDA
MARCH 20, 2018
6:00 P.M

2018 PARKS ADVISORY BOARD AND SPORTS COUNCIL
MEETING

- | | | |
|------|------|--|
| SH | 7.9 | REVIEW, ACCEPT, REJECT MINUTES OF THE MARCH 5, 2018 PLANNING COMMITTEE MEETING |
| | | |
| BA | 7.10 | REVIEW, APPROVE, REJECT THE POLICE DEPARTMENT'S REQUEST TO SURPLUS AND SCRAP POLICE VEHICLES THAT ARE BEYOND REPAIR AND OF NO VALUE TO THE DEPARTMENT |
| | | |
| BA | 7.11 | REVIEW, APPROVE, REJECT THE POLICE DEPARTMENT'S REQUEST TO DISPOSE OF VEHICLE PURSUANT TO MISS. CODE ANNO. SECTION 17-25-25(1) and (6) (1972 AS AMENDED) BY DECLARING VEHICLE AS HAVING CEASED TO BE USED FOR PUBLIC PURPOSES AND FINDING DISPOSAL TO PROMOTE THE BEST INTEREST OF THE GOVERNING AUTHORITY AND SELLING SAME PURSUANT TO MISS. CODE ANNO. SECTION 31-7-13 (m) (vi) (1972 AS AMENDED) FOR \$1.00 TO THE TREMONT POLICE DEPARTMENT: 2010 FOR CROWN VITORIA VIN #2FABP7BV6AX121968 (VEHICLE ID: PD 27) |
| | | |
| BA | 7.12 | REVIEW, APPROVE, REJECT THE POLICE DEPARTMENT'S REQUEST TO DISPOSE OF VEHICLE PURSUANT TO MISS. CODE ANNO. SECTION 17-25-25(1) and (6) (1972 AS AMENDED) BY DECLARING VEHICLE AS HAVING CEASED TO BE USED FOR PUBLIC PURPOSES AND FINDING DISPOSAL TO PROMOTE THE BEST INTEREST OF THE GOVERNING AUTHORITY AND SELLING SAME PURSUANT TO MISS. CODE ANNO. SECTION 31-7-13 (m) (vi) (1972 AS AMENDED) FOR \$1.00 TO THE BLUE SPRINGS POLICE DEPARTMENT: 2009 FORD CROWN VICTORIA VIN # 2FAHP71V59X121399 (VEHICLE ID: PD 37) |

TUPELO CITY COUNCIL MEETING AGENDA
MARCH 20, 2018
6:00 P.M

- BA 7.13 REVIEW, APPROVE, REJECT THE POLICE DEPARTMENT'S REQUEST TO DISPOSE OF VEHICLE PURSUANT TO MISS. CODE ANNO. SECTION 17-25-25(1) and (6) (1972 AS AMENDED) BY DECLARING VEHICLE AS HAVING CEASED TO BE USED FOR PUBLIC PURPOSES AND FINDING DISPOSAL TO PROMOTE THE

BEST INTEREST OF THE GOVERNING AUTHORITY AND SELLING SAME PURSUANT TO MISS. CODE ANNO. SECTION 31-7-13 (m) (vi) (1972 AS AMENDED) FOR \$1.00 TO THE SHANNON POLICE DEPARTMENT:

2013 DODGE CHARGER - VIN NUMBER 2C3CDXAG4DH642751 (VEHICLE ID: PD45)

- BA 7.14 REVIEW, APPROVE, REJECT LIST OF CURRENT UNMARKED VEHICLES THAT THE TUPELO POLICE DEPARTMENT MAINTAINS AS OF MARCH, 2018 AND REVIEW, APPROVE, REJECT A RESOLUTION DECLARING CERTAIN POLICE VEHICLES, WHICH ARE SUITED FOR USE, USED AND AVAILABLE FOR USE ON A CONTINUING BASIS TO FACILITATE COVERT INVESTIGATIVE ACTIVITIES BE EXEMPTED FROM VEHICLE MARKING REQUIREMENTS SET FORTH BY MISS. CODE ANNO. § 25-1-87 (1972 AS AMENDED)

- DL 7.15 REVIEW, APPROVE, REJECT A RESOLUTION AUTHORIZING THE CITY OF TUPELO, MISSISSIPPI, TO PURCHASE CERTAIN REAL PROPERTY FROM BONNIE JEAN WEBB FOR IMPROVING THE SW CORNER OF THE INTERSECTION OF COLEY ROAD AND MCCULLOUGH BOULEVARD

8. STUDY AGENDA

NO ITEMS

9. EXECUTIVE SESSION

NO ITEMS

10. ADJOURNMENT



City of Tupelo
Office of the Mayor
Autism Awareness Month
PROCLAMATION

WHEREAS, autism is a pervasive developmental disorder affecting the social, communication and behavioral skills of those affected by it, and,

WHEREAS, as more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 68 children nationally and 1 in 45 in New Jersey, and,

WHEREAS, while there is no cure for autism, it is well-documented that if individuals with autism receive early and intensive treatment throughout their lives, they lead significantly improved lives, and,

WHEREAS, individuals with autism often require a lifetime of specialized and community support services to ensure their health and safety and to support families' resilience as they manage the psychological and financial burdens autism can present,

WHEREAS, without appropriate treatment, the lifetime societal cost has been estimated to be \$3.2 million per child with autism spectrum disorder from special education, adult services and decreased productivity,

WHEREAS, The Autism Center of Tupelo, Mississippi is spearheading an awareness effort in order to educate parents, professionals and the general public about autism and its effects,

WHEREAS, April 2nd will be celebrated all over the State of Mississippi as #goblueMS day to promote awareness across the state and nation for autism using the #goblueMS on all social media accounts and show you wearing your blue,

NOW, THEREFORE, I, Jason L. Shelton, Mayor of the City of Tupelo, Mississippi, do hereby proclaim April 2018 as

AUTISM AWARENESS MONTH

in the City of Tupelo, and urge all employees and residents to participate in our municipality's National Autism Awareness Month activities, in order to become better educated about autism and create a better community for individuals with autism.

ATTEST:

Kim Hanna, City Clerk

Jason L. Shelton,
Mayor

5.2A



CITY OF TUPELO
CITIZEN HEARING REQUEST
COUNCIL CLERK, 662.840-2578 FAX 662.840-2579

Any citizen of the City, business owner or property owner within the City may request that a matter be placed on the agenda for the purpose of bringing the matter before the City Council for subsequent Council action provided that he or she submits a written and signed request to the Council President or the Mayor describing the nature of his or her request. Such request must be received before 5:00 P.M. on Thursday prior to the next scheduled Council meeting. The presentation of a citizen's request shall be limited to (5) minutes.

Name: Shiquan Sloan Phone: 662-6610-5588

Street Address: 301 West Main St. Suite 2

City, state, zip: Tupelo, MS, 38804

BUSINESS OWNER:

Business Name: Sloan Landscape Architecture

PROPERTY OWNER:

Address: Same

PLEASE DESCRIBE THE NATURE OF YOUR REQUEST:

DTMSA Board Chairman. speaking on
behalf of the Main St. Board in Oregonal
to the Leisure & Entertainment District.

SIGNATURE: [Signature]

Forms may be faxed to the Council Clerk's office, 662.840-2059 or scanned and emailed to amanda.daniel@tupeloms.gov. Forms must be signed and returned to the Council office by the agenda deadline.

5.2B



CITY OF TUPELO
CITIZEN HEARING REQUEST
COUNCIL CLERK, 662.840-2578 FAX 662.840-2579

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Name: Voz Vaneli Phone: 662-523-8514

Street Address: 114 N. BROADWAY

City, state, zip: Tupelo, MS 38804

BUSINESS OWNER:

Business Name: 2 MEZZE LLC dba VANELLI'S PISTO

PROPERTY OWNER:

Address: 206 W MAIN Tupelo, MS 38804

PLEASE DESCRIBE THE NATURE OF YOUR REQUEST:

TO SPEAK ABOUT THE LEISURE & RECREATION
DISTRICT

SIGNATURE: Voz Vaneli

Forms may be faxed to the Council Clerk's office, 662.840-2059 or scanned and emailed to amanda.daniel@tupeloms.gov. Forms must be signed and returned to the Council office by the agenda deadline.

5.20

Amanda Daniel

From: Debbie Brangenberg
Sent: Friday, March 16, 2018 7:08 AM
To: Amanda Daniel
Cc: Don Lewis; Ben Logan
Subject: Public Hearing

Brad Franks wants to speak as well. Will send form later today. Thanks, Debbie B

Sent from my iPhone

**AN ORDINANCE ESTABLISHING A LEISURE AND RECREATION DISTRICT
WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF TUPELO,
MISSISSIPPI BY ADDING ARTICLE III TO CHAPTER 5 CITY OF TUPELO CODE
OF ORDINANCES; DESIGNATING THE GEOGRAPHIC AREA INCLUDED WITHIN
AND BOUNDARIES OF SAID DISTRICT; AMENDING RELATED PROVISIONS OF
CHAPTER 5 ARTICLES 1 AND 2; AND FOR RELATED PURPOSES**

WHEREAS, the City of Tupelo, Mississippi, is a duly organized and incorporated municipality pursuant to Section 21-8-1, et seq., of the Mississippi Code of 1972 (as amended); and

WHEREAS, during the 2016 Legislative Session, the Legislature of the State of Mississippi enacted House Bill 1223 which permits and authorizes certain municipalities in the State of Mississippi to establish "Leisure and Recreation Districts" and to designate the geographic areas included within and the boundaries of said districts; and

WHEREAS, the Governor signed House Bill 1223 into law, and the legislation was codified as Miss. Code Anno. Sec. 67-1-101 (1972 as amended), effective on and after July 1, 2016; and

WHEREAS, Miss. Code Anno. Sec. 67-1-101 (1972 as amended) requires an Ordinance establishing a "Leisure and Recreation District" shall "include a detailed description of the area or areas within the district, the boundaries of the district and a georeferenced map of the district" as well as a description of the "manner in which the municipality will provide for adequate law enforcement and other public safety measures and services within the district"; and

WHEREAS, municipalities which create "Leisure and Recreation Districts" authorize business entities that hold alcoholic beverage permits issued by the Department of Revenue and that are located within the boundaries of the "Leisure and Recreation District" to allow patrons to leave the licensed premises with an open container of alcohol and allow those patrons to carry and consume alcoholic beverages within a designated "Leisure and Recreation District"; and

WHEREAS, the governing authority of the City of Tupelo, Mississippi, has determined and hereby finds that the City of Tupelo, Mississippi, would benefit from the establishment of a "Leisure and Recreation District" within the downtown area of the City of Tupelo, by enhancing quality of life opportunities, downtown livability and atmosphere, walkability of pedestrian-oriented areas, increased tourism and greater economic benefit from the downtown area; and

WHEREAS, the governing authority of the City of Tupelo, Mississippi, has further determined that establishment of a "Leisure and Recreation District" within the downtown area would be in the best interests of the City of Tupelo; and

WHEREAS, nothing herein is intended to confer any rights or entitlement as the sale of alcohol within an area designated as a "Leisure and Recreation District" is a privilege and not a right and is subject at all times to reasonable regulation, modification or repeal; and

MOVED UP
3/6/18

WHEREAS, subject to the terms and limitations of Miss. Code Anno. Sec. 67-1-101 (1972 as amended) and this Ordinance, the City of Tupelo hereby establishes a "Leisure and Recreation District" in the downtown area as more fully set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, AS FOLLOWS:

SECTION 1. The prefatory clauses are hereby incorporated herein.

SECTION 2. That the Code of Ordinances of the City of Tupelo is hereby be, and the same is hereby amended by amending Chapter 5, to add Article III, Downtown Tupelo Leisure and Recreation District, to read as follows:

CHAPTER 19

ARTICLE III. DOWNTOWN TUPELO LEISURE AND RECREATION DISTRICT

SECTION 5-35. CREATION AND ESTABLISHMENT OF DISTRICT

Under the authority granted in Section 1 of House Bill 1223 (2016 Legislative Session), there is hereby established a "Leisure and Recreation District" in the downtown area of the City of Tupelo within the geographic area and within such boundaries as are set forth and designated herein and as represented on the georeferenced Map which is attached hereto as "Exhibit A" and fully incorporated herein.

SECTION 5-36. Name and boundaries of district.

The "Leisure and Recreation District" established herein shall be known as the "Downtown Tupelo Leisure and Recreation District" (hereinafter "the District") and shall have the following as its boundaries:

DETAILED DESCRIPTION OF BOUNDARIES

SECTION 5-37. Specific days and times of the Leisure and Recreation District Ordinance; Special Events

A. *Regular hours* for the District shall be every _____ from ____:____ p.m. to ____:____ p.m.

B. *City of Tupelo Permitted Special Events.* The City of Tupelo may elect to open all or a portion of the District in conjunction with persons or entities of events holding a special events permit as defined and permitted under Chapter 5, Articles I and II.

SECTION 5-38. Outside Consumption of Alcoholic Beverages Permitted; Conditions.

Any on premise retail alcoholic beverage permittee (hereinafter, "permittee") located within the District shall comply with all laws, rules and regulations which govern its license type, except that a patron, guest or member of that licensee may remove an open container of alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage and/or wine outside of the licensed premises anywhere within the boundaries of the District subject to the following regulations:

A. A person may not enter a licensed premises with an alcoholic beverage, whether acquired at that licensed premises or elsewhere.

B. A permittee located in the District shall allow alcoholic beverages to be removed from the licensed premises only in an City of Tupelo-approved recyclable plastic cup, not larger than 16 fluid ounces in size, and no such alcoholic beverages shall be removed from the licensed premises in a can, bottle, glass container or other container, except as otherwise allowed by law.

C. No permittee shall allow a patron, guest or member to exit its licensed premises with more than one open container of alcoholic beverages, and it shall be unlawful for any person to exit such licensed premises with more than one such open container.

D. Permittees located in the District shall post, at all points of egress from the licensed premises, a map of the boundaries of the District in which it is located. The map shall be provided, either in electronic or paper form, to those permittees by the City upon request of the permittees.

E. Nothing in this ordinance shall be construed to require a permittee located in the District to allow its patrons to remove alcoholic beverages and/or wine, in open containers, from the licensed premises.

SECTION 5-39. Beer and Light Wine.

Within the boundaries of the District, a permittee may allow beer and light wine to be removed from the licensed premises in a recyclable plastic cup as designated by this ordinance, not larger than 16 fluid ounces in size.

SECTION 5-40. Public safety measures.

Enforcement of the boundaries of the District shall be the responsibility of the Police Department. In addition, the Police and Fire Departments shall provide public safety

services within the District in the same manner it provides those services in the remainder of the City.

SECTION 5-41. Definition of alcoholic beverages.

For the purposes of this Ordinance, the term "alcoholic beverages" shall mean any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines.

SECTION 5-42. Review, modification and repeal.

The City will review this Ordinance in six (6) months from its effective date and reserves the right to modify or repeal this Ordinance and any district designation created hereunder, at any time, with or without notice.

SECTION 5-43. Conflict of Provisions.

All ordinances or parts thereof in conflict with this ordinance are hereby declared to be inapplicable within the geographic boundaries of the "Leisure and Recreation District" created herein.

SECTION 5-44. Findings and compliance with administrative guidelines.

Upon passage by the members of the City Council, this ordinance shall be in full force and effect on _____, because it serves the public peace, health and safety of the citizens of Tupelo and will immediately enhance quality of life opportunities, downtown livability and atmosphere, walkability of pedestrian-oriented areas, increased tourism and greater economic benefit from the downtown area in the City of Tupelo. It shall be published according to law, spread on the minutes of the Tupelo City Council, and the Council Clerk shall provide a certified copy of this Ordinance and other required documents to the Mississippi Department of Revenue upon its enactment.

After a full discussion of this matter, Council Member _____ moved that the foregoing Resolution to adopted and said motion was seconded by Council Member _____ and the vote thereupon was as follows:

| | |
|-----------------------------------|-------|
| Council Member Markel Whittington | _____ |
| Council Member Lynn Bryan | _____ |
| Council Member Travis Beard | _____ |
| Council Member Nettie Davis | _____ |
| Council Member Buddy Palmer | _____ |
| Council Member Mike Bryan | _____ |
| Council Member Willie Jennings | _____ |

The moving having received the foregoing vote of the City Council, the president declared the motion carried and the Resolution adopted on this, the ____ day of _____, 2018.

CITY OF TUPELO, MISSISSIPPI

By: _____
MARKEL WHITTINGTON
Council President

ATTEST

AMANDA DANIEL, Council Clerk

APPROVED:

JASON SHELTON, MAYOR

DATE



City of Tupelo

Memo

To: City Council

From: Mayor Jason Shelton

Date: March 15, 2018

Re: Re-appointments to the NE MS Regional Water Supply District

It is my recommendation that Charles Duke and Bob Baughn be reappointed for another 5 year term to the NE MS Regional Water Supply District. Please consider this recommendation.

Charles Duke

Mr. Duke lives on his family's old home place in the City of Tupelo. He attended Tupelo schools, ICC, and MS State University. He was in the Navy for 4 years and worked as a Truck Terminal Manager for Mid-South Packers for 28 years. He was a Lee County Board of Supervisor for 20 years and helped form the NE MS Regional Water Supply District.

was a Lee County Board of Supervisor for many years. He attended Itawamba Community College. He is married to

Robert L. Baughn

2010 Hummingbird Lane

Tupelo, MS 38801

Bio: HR & Safety Director JESCO 1984-2003

HR Director Tower Auto Madison, MS 2005-2011



City of Tupelo

Memo

To: City Council
From: Mayor Jason Shelton
Date: March 8, 2018
Re: License Commission

It is my recommendation that the following individuals be appointed to the License Commission:

Randy Hanlon

Gerald Warfield

Jay Scruggs

Richard Rhudy

Matt Wiley

Christian Reed

Bios are attached. Please consider these recommendations.

Amanda Daniel

From: Lynsey Vanstory
Sent: Thursday, March 08, 2018 3:28 PM
To: Amanda Daniel
Cc: Don Lewis; Shane Hooper; Jimmy Farnham
Subject: License Commission

Please see the bio's for the members recommended for appointment to the License Commission

Subject: License Commission

Randy Hanlon – Owner/Operator of R H Plumbing - Started business 09-06-1989

- *34 years in business in the Tupelo area
- *Cooper Tire – General Atomics
- *Medical Gas Certificate
- *Certified Welder and Pipe fitter
- *Certified Site Utilities
- *Owner/Operator of the largest plumbing contractors in North Ms.

Gerald Warfield – Owner/Operator Southland Constructions – Started business 01-02-2008

- *Licensed General Contractor since 3-12-1997
- *One of the largest Commercial Contractors in the City of Tupelo

Jay Scruggs – Owner/Operator Scruggs Homebuilders – Started business 12-02-2009

- *Owner/Operator of Tupelo's largest Residential Builders
- *Custom High End Homes as well as Affordable houses
- *State Licensed Residential Builder

Richard Rhudy – Owner/Operator of Advanced Electrical – Started business 03-29-2002

- *Commercial and Residential Electrical
- *State Licensed Electrician

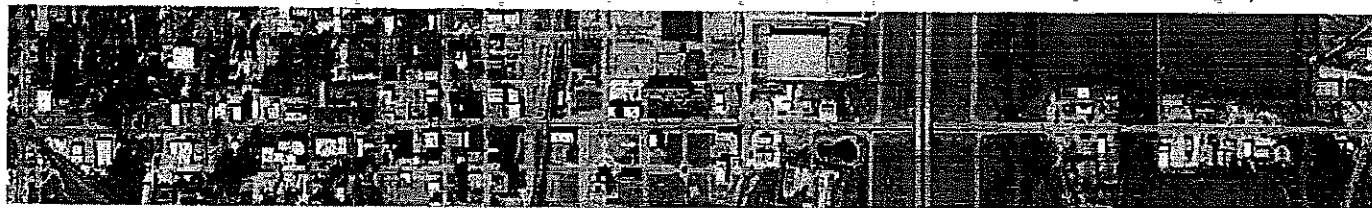
Matt Wiley – Owner/Operator of Comfort Engineering - In business in the City Of Tupelo Since 1936

- *Licensed in Gas and Mechanical since 1962
- *First Carrier dealer in the City of Tupelo

Christian Reed – Licensed Architect since 2010 – Joined McCarty Architects in 2004

- *Began his professional career with SKT Architects in Florence, Alabama as an Intern-Architect
- *Graduated in 2004
- *Accredited LEED Professional Since 2004, with Building Design & Construction Specialty
- *Joined McCarty Architects in Tupelo, Ms. in 2004
- *Received his license in early 2010 as an Architect in the State of Ms.

- *Served as Lead Designer and Project Manager/Architect with McCarty Architects
- *Promoted to Team Leader in 2013, a position he currently holds for McCarty Architects
- *Graduate of the CDF Jim Ingram Community Leadership Institute, class of 2014



Tupelo Major Thoroughfare Program Minutes February 12, 2018

Members present: Chris Hussey, C W Jackson, Stuart Johnson, Ernie Joyner, Charlotte Loden, Aletha Mims, J D Moore, Greg Pirkle, Danny Riley, and Theodore Roach

Members not present: Bill Cleveland, Scott Davis, Jamie Osbirn, Drew Robertson, Brent Waldrop, Wesley Webb

Others present: Travis Beard, John Crawley, Don Lewis, Kim Hanna, Renee Newton, Buddy Palmer, Mike Pettigrew, Johnny Timmons, and John White

Greg Pirkle called meeting to order.

Renee Newton took Roll Call.

Greg Pirkle welcomed Charlotte Loden as new member of Major Thoroughfare Committee. Councilman Buddy Palmer introduced Mike Pettigrew as a prospective new member.

Mr. Pirkle asked the Committee to review and approve the minutes of the January 12, 2018, Major Thoroughfare Program meeting. Motion made by Ernie Joyner to accept the minutes. Bill Cleveland seconded the motion. Stuart Johnson pointed out correction to Beginning and Ending Cash Balance from the financial report. Motion approved unanimously with corrections.

Kim Hanna reviewed the Major Thoroughfare Phase VI Budget Report for the month ending December 31, 2017. Beginning cash balance was \$2,792,444. Revenue from Property Tax and Interest Earned was \$796,016. Actual Expenditures were \$443,182. Payments included \$7,264 to Personnel Cost, and \$435,919 to Thomas St Interchange Project. Ending cash balance was \$3,145,277.

John Crawley gave updates on the current projects.

NATCHEZ TRACE BRIDGE

Still awaiting full and final settlement letter from MDOT.

EAST MAIN STREET (GREEN STREET TO VETERANS)

Still working on finalizing the issues with deficient landscaping items. Waiting on written response from landscape contractor explaining why they do not think they are responsible for corrective measures.

THOMAS STREET / HWY 6 INTERCHANGE

Contractor has completed riprap ditches. Incidental work such as temporary erosion control is currently being performed. Paving should resume this spring as weather permits. Based on the January pay estimate, the contractor is approximately 71% complete and has used approximately 56% of the contract time.

MAIN STREET TRAFFIC SIGNAL OPTIMIZATION STUDY

Consultant, Neel-Schaffer, is finalizing report and should have to the city in a day or so. Tupelo Water & Light is in the process of obtaining inventory necessary to begin implementation.

**COLEY ROAD / MCCULLOUGH BLVD INTERSECTION IMPROVEMENTS
& COLEY/JACKSON EXTENDED IMPROVEMENTS**

Plans complete. Presenting offer from property owner regarding purchase of ROW to full committee 2/12/2018. Plan to be revised to lengthen deceleration lane for MDOT review.

EASON BLVD TURN LANE @ HWY 45

Working on MDOT permitting and finalizing construction plans. Question was asked if the signal on the other side of the intersection should be replaced at the same time with a mast arm. Project cost would increase between \$100,000 and \$150,000.

WEST JACKSON STREET (CLAYTON TO ROBBINS)

ESI Currently performing design work.

MDOT NORTH GLOSTER / BARNES CROSSING PROJECT

Contractor (Gregory Construction Services) has begun work. They are working on driveways and islands between North Green Street and McCullough Blvd.

MONUMENT/LUMPKIN INTERSECTION

Under design by ESI. All land required has been obtained.

New Business


Purchase of land for Right-of-Way at McCullough and Coley.

Greg Pirkle explained the history of paying for land for right-of-way when land owner does not gain a benefit from street improvement. MTP has purchased property from this same owner for a previous Coley Rd project. Amount of land involved is 0.08 acre. The owner is asking \$6000 in compensation. The billboard will not be affected. Stuart Johnson asked if there was room for negotiation on the amount requested. John Crawley stated the asking price from the owner was originally \$10,000. \$6000 is the best price that could be negotiated.

Ernie Joyner made motion for Committee to make recommendation to City Council to purchase property for \$6000. Stuart Johnson seconded motion. Motion approved unanimously.

With no further business to be discussed, the meeting was adjourned.


Chairman Greg Pirkle


Submitted by Renee Newton



Parks Advisory Board and
Sports Council Meeting
February 13, 2018

7.8



Advisory Members Present

Mike Maynard, Ward 2
Jack Keene, Ward 3
Davey Cole, Ward 5
Kenneth Greer, Ward 6
Jim Ingram, President TSC

Advisory Member Absent

Robin Faucette, Ward 1
Joe Washington Jr. Ward 4
Tara Cayson, Ward 7

Staff Present

Alex Farned, Director
Deana Carlock, Office Manager
Leigh Ann Mattox, Recreation Director
Laura Kramer, Sports Director
Sheila Runnels, Sports Director

Staff Absent

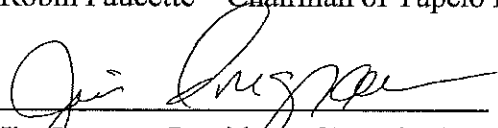
Alex Wilcox, Sports Director
Shanta Jones, Program Director
Amy Kennedy, Aquatic Director
Markel Whittington, Council Rep.

1. Mike Maynard called the meeting to order.
2. Kenneth Greer made the motion to accept the agenda with Jim Ingram making the second.
Passed unanimously.
3. Kenneth made the motion to accept the minutes with Jim making the second. Pass
unanimously.
4. Kenneth made the motion accept the treasurer's report with Jack Keene making the second.
Pass unanimously.
5. Member Reports
 - a. Tupelo Youth Soccer Association – Report received.
 - b. Tupelo Youth Baseball Association – Report received.
 - c. Tupelo Softball Association – Report received.
 - d. Tupelo Basketball Association – Report received.
 - e. Tupelo Tennis Association – Report received.
 - f. Tupelo Therapeutic Recreation Association – Report received.
 - g. Tupelo Aquatic Club – Report received.
 - h. Tupelo Disc Golf Association – Report received.
 - i. Tupelo Skate Park Association – Report received.
 - j. Tupelo Flag Football Association – Report received.
 - k. Friends of the Park – Report received.
 - l. Tupelo Fourth of July Celebration Association – Report received.
 - m. Veterans Council – Report received.
 - n. Tournament – Report received.

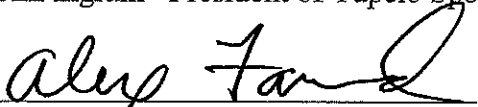
- o. Marketing – Report received.
 - p. Monthly Participation - Report Received
6. The Board was updated on the storm shelters.
 7. The Board was updated on the Gumtree Project.
 8. The Board was updated on the Ballard Baseball Fields Project.
 9. The Board was updated on the cameras in the park.
 10. The Board was provided a calendar of events.
 11. The Board was updated on the Cover Your Bases Project.
 12. Mike made a motion to adjourn with Kenneth making the second. Passed unanimously.



Robin Faucette – Chairman of Tupelo Parks Advisory Board



Jim Ingram – President of Tupelo Sports Council



Alex Farned – Director of Tupelo Parks and Recreation

MEMO

TO: Mayor, City Council members
FROM: Pat Falkner
DATE: March 13, 2018
RE: Routine agenda item: Minutes of March 5, 2018 Planning Committee meeting

Attached are the minutes of the Planning Committee meeting of March 5.
The action items are as follows:

Text Amendment to Chapter 5 of Development Code, to establish a
Neighborhood Conservation Overlay District in the area around Lawhon
School

Tabled

Text Amendment to Chapter 10 of Development Code, to coordinate
standards for digital billboards

Approved

Text Amendment to Chapter 11 of Development Code, to clarify the
standards for allowable parking in front yard areas of residential properties

Approved

The amendments that the Planning Committee approved will not be presented for City Council action until after the Committee has made a recommendation on the Overlay District amendment.

TUPELO PLANNING COMMITTEE

March 5, 2018

CALL TO ORDER

Chairman Ted Moll called the meeting to order. Members present were Mr. Gus Hildenbrand, Mr. William Smith, Mr. Scott Davis, Mrs. Patti Thompson, Mr. Mack-Arthur Turner, Mr. Christian Reed, and Mrs. Margaret Ann Kennedy. Mr. Smith provided the invocation and Mrs. Thompson led the Pledge of Allegiance. Staff present were Pat Falkner and Marilyn Vail of the Development Services Department.

REVIEW OF FEBRUARY MINUTES

The February minutes were approved on a motion by Mr. Hildenbrand and a second by Mrs. Thompson.

REPORT ON COUNCIL ACTIONS

Mr. Falkner reported that the City Council had accepted the minutes of the February 5 meeting and that final action on the rezoning from that meeting would be March 6.

NEW BUSINESS

TEXT AMENDMENTS TA 18-01: Mr. Falkner explained that amendments to the Development Code generally do not involve an outside party and do not require mailed notices, but are publicized by advertisement in the newspaper. The amendments to be discussed are to three different chapters of the code. The major change is a proposed amendment to Chapter 5 to create a new design overlay district for the area around Lawhon School in East Tupelo. Mr. Falkner said that the amendment is being brought up for consideration by representatives of the Elvis Presley Heights neighborhood association. The proposed language follows the format of other overlay districts to define the area and create a committee to review building permit applications. A number of specific design standards are included in the proposal.

The chair recognized Mrs. Rose McCoy, 113 Blackwell Street, to present a case for the overlay district amendment. Mrs. McCoy said that she had lived in East Tupelo forty years and was concerned about the deterioration of the area around Lawhon elementary school. She stated that she wanted the overlay district to encourage property owners to improve, while retaining the small cottage type houses.

Mr. Hildenbrand asked her where she lived. Mrs. McCoy replied that she did not live in the district itself but does own some land there and is in a partnership to develop houses there.

Mike Pettigrew of 281 McNeece Street spoke, identifying himself as the president of the Presley Heights Neighborhood Association and a stakeholder in East Tupelo. He said that he owns seven properties in whole or in part, with which he intends to help the neighborhood revitalize. He is working with Mrs. McCoy to promote quality housing and home ownership, that he is not anti-renters or anti-low income housing. In conversations with builders about the neighborhood, he has heard several say they would not be interested in building there unless something like an

overlay district was in place to control the quality of construction. Mr. Pettigrew said that he hoped through design review to move the market so that others could invest in the neighborhood. He said that they had been working with Grant Meyer of CDF on ways to improve the area.

Mr. Hildenbrand asked if residents of the proposed district supported the idea. Mr. Pettigrew said that he had talked to most of the homeowners and business owners who were in support. He did not talk to renters or rental property owners.

Mrs. Thompson asked who he saw as the target market for the area. Mr. Pettigrew said it could be a mix of singles and downsizing senior adults. Mrs. Thompson followed up with a question about families with children. Mr. Pettigrew said that the school attendance zones changed too often for that to be a basis for a market strategy.

Mr. Moll asked what percent of the property was owner occupied. Mr. Pettigrew estimated only about twenty percent.

Mr. Davis asked if there were any more design standards than what was presented. Mr. Pettigrew explained that the intent was not to be too prescriptive.

Mr. Hildenbrand read the list of housing types that would not be allowed under the overlay district. Mr. Pettigrew noted that there were a few duplexes in the area and that the preference would be for single family detached. Mr. Hildenbrand noted that in an area of eighty percent rentals ownership will be hard to sell.

Mr. Moll asked if the area had an active neighborhood association. Mr. Pettigrew replied that it did, but it covered the entire area of East Tupelo. Mr. Moll asked what the CDF planner had suggested. Mr. Pettigrew said that Mr. Meyer recommended an overlay as a step toward changing the neighborhood toward one with a potential for homeownership. Mr. Moll asked about the anticipated price range of houses. Mr. Pettigrew indicated that they were thinking about houses in the 1300 to 1700 square foot range. Mr. Hildenbrand said they might have to start with much smaller houses.

Mr. Tommy Scruggs, 1230 CR 811, Saltillo, said that he and his partners had been buying property and building houses in the area of the proposed overlay district for several years. They have built 8 houses near the school that were 1050 to 1200 square feet, and about 30 total, investing about \$2 million. He said that someone should have let them know about the proposal.

Mrs. Kennedy asked if those houses were built to sell or to rent. Mr. Scruggs said they were built for rental.

Mr. Reed asked what his reaction to the proposed overlay district was. Mr. Scruggs replied that he had not had time to react to it.

Mrs. Kennedy asked if the houses he had built were the red brick ones she had seen in the area. Mr. Scruggs said that they were. Mrs. Kennedy asked how much more a carport added to the cost of a house. Mr. Scruggs said that it would add \$10,000 to \$12,000.

Mr. Hildenbrand asked if the overlay district was in force would it affect their plans. Mr. Scruggs said he did not know.

Mr. Moll asked who managed his properties. Mr. Scruggs answered that he and his partners did that. Mr. Moll asked what rent range he charged. Mr. Scruggs said \$550 to \$850.

Mrs. Kennedy asked if he would sell to a homeowner. Mr. Scruggs said that he would consider it. Mrs. Kennedy said that his houses looked like good starter homes.

Mr. Scruggs asked how the overlay district would apply to older residents who could not afford to improve their property. Mr. Davis pointed out that it would only apply to someone applying for a building permit.

Mr. Hildenbrand said that the committee would need to include some rental owners, otherwise it would be unrepresentative.

Mr. Smith asked if he might sell a house to a tenant after owning it for a while. Mr. Scruggs said he would not be opposed, but some renters did not want to be owners. Mr. Hildenbrand stated that he was not planning to sell; Mr. Scruggs said that was right.

Dean Webb, CR 811, Saltillo, observed that renters are not second rate citizens, and that rental is what the market supports. Tupelo has to recognize the need for low income housing. He said that the partners had bought and demolished a number of substandard houses at the city's request, replacing them with new houses. Mr. Hildenbrand said that the percentage of houses that are rental affects the value of all houses. Mr. Webb said that the renters should be involved.

Mr. Reed said that it might be better to take some time and notify more people.

Mrs. Thompson asked Mr. Pettigrew and Mrs. McCoy if they were proposing the overlay district as a reaction to the Scruggs and Webb houses. Mr. Pettigrew said no, they just wanted to see houses with some character that would be equally attractive to an owner or a renter.

Mr. Reed said that the main issue seemed to be the lack of information and notification. Mr. Hildenbrand said that he felt the committee would be given too much authority. Mrs. Kennedy asked how the neighborhood association publicized its meetings. Mr. Pettigrew said that the area is too big for a mailout but that they used social media and signs.

Mr. Reed moved to table the proposed amendment so that other parties could be notified. Mr. Hildenbrand seconded, with a suggestion also that rental property owners be represented on the committee. The motion passed unanimously.

Mr. Falkner then presented the second amendment, regarding the sections of chapter 10 that cover electronic signage and billboards. He said that the proposed changes were to make the zoning districts where such signs are allowed consistent, to correct a section reference number, and to insert the word 'also' in section 10.7.2 (12) (c) iii to make clear that both sets of criteria must be met.

Mr. Hildenbrand made a motion to approve this amendment, seconded by Mrs. Thompson. The committee approved the motion by unanimous vote.

Mr. Falkner explained the last amendment, in the section of chapter 11 that prohibits parking of vehicles in the front yards of residential properties. The words 'in place' are substituted for the

word 'provided' to remove the confusing implication that a gravel parking space could be put in to meet the requirement for legal parking. The code section recognizes existing gravel driveways and parking spaces but does not allow new ones to be created.

Mr. Davis moved to approve this change. The motion was seconded by Mr. Smith and approved unanimously.

The work session for the next meeting was set for March 26 with the meeting date April 2.

Mr. Hildenbrand made the motion to adjourn, seconded by Mrs. Thompson.

Mrs. Thompson made a motion to adjourn, seconded by Mr. Davis.



Tupelo Police Department

Chief Bart Aguirre

7.10

Memorandum

To: City Council Members
From: Chief Bart Aguirre
Subject: Surplus
CC: Mayor Shelton, COO Lewis
Date: 02/26/18

Please accept this letter as a request to surplus the following items:

The following are police vehicles that have either become beyond repair, wrecked, or the cost to repair supersedes the usefulness of the vehicle itself. At current status, the vehicles are at zero value to the department and would be more profitable to the city to surplus and scrap:

1. 2014 Dodge Charger-PD15-VIN 2C3CDXAG1EH194812
2. 2013 Dodge Charger-PD07-VIN 2C3CDXAG4DH565413
3. 2013 Dodge Charger-PD84-VIN 2C3CDXAG6DH642752

Thank you for your attention in this matter,

Chief of Police, City of Tupelo

A handwritten signature in cursive script that reads "Bart Aguirre".

Bart Aguirre



7.11

Tupelo Police Department

Chief Bart Aguirre

Memorandum

To: City Council Members
From: Chief Bart Aguirre
Subject: Surplus
CC: Mayor Shelton, COO Lewis, CFO Hanna
Date: 03/15/18

Please accept this letter as a request to surplus the following item(s):

The following is a police vehicle that has outlived its usefulness at the Tupelo Police Department; however it is still a functioning vehicle. Therefore we respectfully request that it be surplused and sold to a neighboring north Mississippi police department for the cost of \$1:

1. 2010 Ford Crown Victoria-PD27-VIN 2FABP7BV6AX121968 to be sold to Tremont Police Department

Thank you for your attention in this matter,

Chief of Police, City of Tupelo

A handwritten signature in cursive script that reads "Bart Aguirre".

Bart Aguirre



7.12

Tupelo Police Department

Chief Bart Aguirre

Memorandum

To: City Council Members
From: Chief Bart Aguirre
Subject: Surplus
CC: Mayor Shelton, COO Lewis, CFO Hanna
Date: 03/15/18

Please accept this letter as a request to surplus the following item(s):

The following is a police vehicle that has outlived its usefulness at the Tupelo Police Department; however it is still a functioning vehicle. Therefore we respectfully request that it be surplused and sold to a neighboring north Mississippi police department for the cost of \$1:

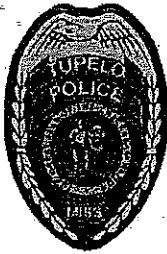
1. 2009 Ford Crown Victoria-PD37-VIN 2FAHP71V59X121399 to be sold to Blue Springs Police Department

Thank you for your attention in this matter,

Chief of Police, City of Tupelo

A handwritten signature in cursive script, appearing to read "Bart Aguirre".

Bart Aguirre



Tupelo Police Department

Chief Bart Aguirre

7,13

Memorandum

To: City Council Members
From: Chief Bart Aguirre
Subject: Surplus
CC: Mayor Shelton, COO Lewis, CFO Hanna
Date: 03/15/18

Please accept this letter as a request to surplus the following item(s):

The following is a police vehicle that has outlived its usefulness at the Tupelo Police Department; however it is still a functioning vehicle. Therefore we respectfully request that it be surplused and sold to a neighboring north Mississippi police department for the cost of \$1:

1. 2013 Dodge Charger-PD45-VIN 2C3CDXAG4DH642751 to be sold to Shannon Police Department

Thank you for your attention in this matter,

Chief of Police, City of Tupelo

A handwritten signature in cursive script, appearing to read "Bart Aguirre".

Bart Aguirre

**RESOLUTION TO AUTHORIZE THE CITY OF TUPELO POLICE
DEPARTMENT TO EXEMPT CERTAIN CITY VEHICLES FROM
VEHICLE MARKING REQUIREMENTS**

WHEREAS, Pursuant to §25-1-87, Miss Code Anno. (1972 as amended) requires all motor vehicles owned or leased by any political subdivision of the State of Mississippi to be marked with the name of the department and/or political subdivision; and

WHEREAS, Miss. Code §25-1-87, (1972 as amended) further allows "the governing authorities of any municipality to authorize the use of specified, unmarked police vehicles when identifying marks would hinder official criminal investigations by the police"

WHEREAS, the City of Tupelo, Tupelo Police Department owns and operates law enforcement vehicles all of which fall under the purview of Miss. Code §25-1-87, (1972 as amended), for the purpose of conducting police investigations; and

WHEREAS, the Tupelo Police Department has a long standing and demonstrated need to operate unmarked vehicles to protect the security of on-going official criminal investigations at all levels within the department; and

WHEREAS, marking of said enforcement vehicles would hinder the conduct of official on-going criminal investigations.

NOW THEREFORE BE IT RESOLVED, the City of Tupelo Police Department has deemed certain police vehicles, which are listed in Exhibit "A" and attached hereto as suited for use, used and/or are available for use on a continuing basis to facilitate covert investigative activities be exempted from the vehicle marking requirements set forth under Miss. Code §25-1-87, (1972 as amended)

After a full discussion of this matter, Council Member _____ moved that the foregoing Resolution be adopted and said motion was seconded by Council Member _____ and upon the question being put to a vote, the results were as follows:

| | |
|------------------------------------|-------|
| Councilmember M. Whittington voted | _____ |
| Councilmember L. Bryan voted | _____ |
| Councilmember Beard voted | _____ |
| Councilmember Davis voted | _____ |
| Councilmember Palmer voted | _____ |
| Councilmember M. Bryan voted | _____ |
| Councilmember Jennings voted | _____ |

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted.

WHEREUPON, the foregoing Resolution was declared, passed and adopted at a regular meeting of the Council on this the _____ day of _____, 2018.

CITY OF TUPELO, MISSISSIPPI

By: _____
MARKEL WHITTINGTON
City Council President

ATTEST:

AMANDA DANIEL, Clerk of the Council

APPROVED:

JASON L. SHELTON, Mayor

DATE



Tupelo Police Department

Chief Bart Aguirre

Memorandum

To: City Council Members
From: Chief Bart Aguirre
Subject: Unmarked Vehicles
CC: Mayor Shelton, COO Lewis, CFO Hanna
Date: 03/15/18

Here is a list of our current unmarked vehicles that the Tupelo Police Department maintains as of March, 2018:

| Description | Location | Serial Number |
|--|-------------------|-------------------|
| #EOD-6 2015 Chevy Tahoe (Black) | EOD | 1GNLC2EC2FR704702 |
| #EOD-1 2015 Chevy Tahoe (Black) | EOD | 1GNLC2EC0FR708005 |
| #33 1999 Ford Crown Victoria | Detectives | 2FAFP71W8XX156676 |
| #41 2000 Chevy Impala Blue (Spare) | NMLETC | 2G1WF55K5Y9235388 |
| #34 2005 Ford Crown Victoria | SRO | 2FAFP71W35X119080 |
| #04 2005 Ford Crown Victoria (Dark Blue) | NMLETC | 2FAHP71W35X136941 |
| #03 2006 Ford Crown Victoria | SRO | 2FAFP71W46X133426 |
| #02 2006 Ford Crown Victoria | Detectives | 2FAFP71W66X133427 |
| #32 2006 Ford Crown Victoria (Gray) | Detectives | 2FAFP71WX6X133429 |
| #23 2006 Ford Crown Victoria | Detectives | 2FAFP71W86X133428 |
| #51 2006 Ford Crown Victoria | Detectives SCU | 2FAFP71W66X133430 |
| #14 2011 Dodge Charger Black Hemi | Major | 2B3CL1CTXBH600735 |
| #26 2011 Chevrolet Tahoe Police | K9 | 1GNLC2E04BR375369 |
| #36 2011 Chevrolet Tahoe Police | K9 | 1GNLC2E08BR377691 |
| #EOD-6 2013 Chevy Tahoe | SCU | 1GNLC2E07DR159941 |
| #48 2013 Chevy Tahoe (silver) | K9 | 1GNLC2E06DR276720 |
| #57 2008 Ford Expedition (white) | Admin | 1FMFK155X8LA63479 |
| #75 2007 Ford Crown Victoria | SCU | 2FAFP71W77X149010 |
| #76 2007 Ford Crown Victoria | SCU | 2FAFP71W27X149013 |
| #54 2007 Ford Crown Victoria (Electric Blue) | Detectives | 2FAFP71W17X149018 |
| #43 2007 Ford Crown Victoria | Traffic | 2FAFP71WX7X149017 |
| #53 2007 Ford Crown Victoria | Patrol | 2FAFP71W87X149016 |

| | | |
|---|------------|-------------------|
| #77 2007 Ford Crown Victoria | Court | SFAFP71W67X149015 |
| #74 2007 Ford Crown Victoria | SCU | 2FAFP71W47X149014 |
| #42 2002 Ford Crown Victoria | SWAT | 2FAFP71W72X124858 |
| #70 2001 Dodge Ram P/U | NMLETC | 1B7HC16Y81S735196 |
| #42-008 2008 Ford F150 Pickup truck (Gray) | Admin | 1FTRX12W68KC86852 |
| #78 2008 Ford Crown Victoria | SCU | 2FAFP71V38X149840 |
| #47 2008 Ford Crown Victoria (Dark Gray) | Detectives | 2FAFP71V8X149835 |
| #79 2008 Ford Crown Victoria | Admin | 2FAFP71V98X152712 |
| #65 Chevrolet Suburban | SWAT | 1GNFC16J87J228346 |
| #55 2012 Dodge Charger Tungsten | Admin | 2C3CDXAT9CH240347 |
| #90 2016 Ford Police Interceptor (Gray) | Patrol | 1M5K8AR4BBD05963 |
| #93 2017 FORD EXPLORER | SRO | 1FM5K7B88HGA54849 |
| #92 2017 FORD EXPLORER | SRO | 1FM5K7B85HGA54890 |
| #68 2017 Ford Police Interceptor (Black) | Detectives | 1FM5K8AR8HGB82850 |
| #99 2017 Ford Expedition (GOLD) | Admin | 1FMJU1GT5HEA50868 |
| #97 2017 Ford Expedition (BLACK) | Detectives | 1FMJU1FT1HEA50867 |
| #49 2009 Ford Crown Victoria | Detectives | 2FAHP71V79X121405 |
| #52 2009 Ford Crown Victoria | SWAT | 2FAHP71VX9X121401 |
| #89 2015 Ford F150 Crew Cab Blue | Narcotics | 1FTEW1C85FFB98656 |
| #85 2015 Ford Interceptor Utility | SCU | 1FM5K8AR8FGB62403 |
| Truck, 2010 Chevrolet Express | SWAT | 1GAZGPDG5A1175822 |
| #11 2017 Chevy Tahoe (silver) | Admin | 1GNLCDEC2HR313032 |
| #61 2014 Ford Explorer | SWAT | 1FM5K8B84EGA23972 |
| #59 2015 Ford Interceptor Utility | SCU | 1FM5K8AR6FGB62402 |
| #12 2015 Ford F150 Supercab Gray | Detectives | 1FTEX1CPXFKD93342 |

Thank you for your attention in this matter,

Chief of Police, City of Tupelo



Bart Aguirre

7,15

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF TUPELO, MISSISSIPPI TO PURCHASE CERTAIN REAL PROPERTY FROM BONNIE JEAN WEBB FOR A PROPOSED TURN LANE AT THE INTERSECTION OF MCCULLOUGH AND COLEY ROAD

WHEREAS, the governing authorities of the City of Tupelo are empowered to act with respect to the care, management and control of municipal affairs and its properties for which no provision has been made by general law and which is not inconsistent with existing law pursuant to Section 21-17-1, et seq. of the Mississippi Code Annotated (1972), as amended, including the authority to purchase and hold such real estate on such terms as it may elect that are consistent with statutory authority and

WHEREAS, Miss. Code Anno. Sec. 43-37-1 et seq. (1972 as amended) prescribes the acquisition of real property using public funds; and

WHEREAS, the City of Tupelo desires to purchase said property pursuant to its policy for acquisition of low-market value real property valued at less than Ten Thousand Dollars, (\$10,000.00) said policy enacted 8-15-2017; and

WHEREAS, the City of Tupelo desires said property be acquired for the purpose of improving the SW corner of the intersection of Coley Road and McCullough Boulevard; and

NOW THEREFORE, it is hereby resolved and ordered by the City Council of Tupelo as follows:

1. The prefatory paragraphs of this Resolution are hereby found and determined to be in accordance with the necessary and warranted exercise of the authority of the City of Tupelo by securing necessary interests in the real property for the purpose of improving the SW corner of the intersection of Coley Road and McCullough Boulevard.
2. The Mayor and City Clerk are hereby authorized to purchase from Bonnie Jean Webb, the section of real property containing 0.05 acres and on the south right-of-way of the intersection of McCullough Boulevard and Coley Road for the sum of Six Thousand Dollars (\$6,000.00).
3. A copy of the Contract of Purchase with a legal description and plat and the valuation of property are attached hereto as Exhibits "A" and "B", respectively.

After a full discussion of this matter, Council Member _____ moved that the foregoing Resolution be adopted and said motion was seconded by Council Member _____ and upon the question being put to a vote, the results were as follows:

Councilmember M. Whittington voted
Councilmember L. Bryan voted
Councilmember Beard voted
Councilmember Davis voted
Councilmember Palmer voted
Councilmember M. Bryan voted
Councilmember Jennings voted

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted.

WHEREUPON, the foregoing Resolution was declared, passed and adopted at a regular meeting of the Council on this the _____ day of _____, 2018.

CITY OF TUPELO, MISSISSIPPI

By: _____
MARKEL WHITTINGTON
City Council President

AMANDA DANIEL, Clerk of the Council

APPROVED:

JASON L. SHELTON, Mayor

DATE

CONTRACT OF PURCHASE

AGREEMENT entered into this the _____ day of _____ 2018, by and between the **BONNIE JEAN WEBB**, (hereinafter referred to as "SELLER"), and the **CITY OF TUPELO, MISSISSIPPI** (hereinafter referred to as "PURCHASER"), and in consideration of the mutual covenants contained herein, do hereby contract and agree as follows:

Purchaser desires to purchase from Sellers, and Sellers wish to sell to Purchaser, all of Seller's right, title and interest in and to certain real property situated in the City of Tupelo, Lee County, Mississippi, upon the terms set forth herein. The real property is more particularly described as follows (the "Subject Property") and as depicted in Exhibit "A":

A TRACT OF LAND CONTAINING 0.05 ACRES, MORE OR LESS, LYING IN THE SOUTHEAST QUARTER OF SECTION 16, AND THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 SOUTH, RANGE 5 EAST, CITY OF TUPELO, LEE COUNTY, MISSISSIPPI, AND BEING A PORTION OF THAT PARCEL CONVEYED TO BONNIE JEAN WEBB BY INSTRUMENT NUMBER 2011003443 AS RECORDED IN THE RECORDS OF THE OFFICE OF THE CHANCERY CLERK OF LEE COUNTY, MISSISSIPPI; SAID TRACT TO BE USED AS PUBLIC RIGHT-OF-WAY, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast Corner of Section 16, Township 9 South, Range 5 East, City of Tupelo, Lee County, Mississippi, thence North a distance of 1,587.39 feet, thence West a distance of 12.99 feet to a concrete right-of-way marker on the South right-of-way of McCullough Boulevard for a POINT OF BEGINNING; thence along said right-of-way, South 56 degrees 03 minutes and 24 seconds East a distance of 62.01 feet to a point; thence, along said right-of-way, South 56 degrees 03 minutes and 21 seconds East a distance of 28.64 feet to a point; thence, leaving said right-of-way, North 75 degrees 30 minutes and 09 seconds West a distance of 45.92 feet; thence North 86 degrees 03 minutes and 29 seconds West a distance of 57.36 feet to a point on the East right-of-way of Coley Road; thence, along said right-of-way, North 37 degrees 01 minute and 17 seconds East a distance of 51.49 feet to the POINT OF BEGINNING. This tract contains 0.05 acres more or less.

1. PRICE. The purchase price of the property shall be Six Thousand Dollars (\$6,000.00) and shall be due and payable at closing:
2. CLOSING. Sellers shall deliver to Purchaser at closing a warranty deed, conveying good and marketable fee simple title to the Subject Property, subject to subdivision, zoning, and other regulations in effect in the City of Tupelo or Lee County, Mississippi, and rights of way and easements for public roads, flowage, utilities and any mineral or mineral rights, including oil and gas, leased, granted or retained by current or prior owners, as well as any other restriction, reservation, encumbrance or items of record or which a title search would reveal or which a survey or inspection of the property would reveal, and

Exhibit
"A"

with taxes not delinquent; provided, however, that should delinquent taxes be due, Seller hereby agrees to pay such amount with the proceeds from the closing.

3. CLOSING COSTS. Buyer is to pay for preparation of the warranty deed and to pay for any and all other closing costs, if any. Real estate taxes for the current year, if any, shall be paid by the seller.
4. PROPERTY CONDITION. The Subject Property is sold in an "AS IS", "WHERE IS" condition "WITH ALL FAULTS" as of the closing. Purchaser acknowledges that neither Seller nor any of the employees, agents, or attorneys of Sellers have made any verbal or written representations or warranties whatsoever to Purchaser, whether express or implied, statutory, or by operation of law regarding the condition of the Subject Property or the title thereto.
5. CLOSING AND POSSESSION AND MAINTENANCE AND ADVERTISING: Seller and Purchaser shall work together to reasonably set a time for closing. Possession shall pass at Closing.
6. COMMISSION: Seller and Purchaser each represent and warrant that they are not represented by a broker and that no real estate commissions are due in the regard to the sale(s) contemplated in this agreement.
7. GOVERNING LAW: This Agreement shall be governed by and interpreted in accordance with the laws of the State of Mississippi.
8. ENTIRE AGREEMENT: This writing contains the entire Agreement of the Parties and may not be amended except in writing, signed by both Seller and Purchaser.

IN WITNESS WHEREOF, each of the Parties hereto has signed this Agreement on the date shown below their respective signatures. This Agreement shall, for all purposes, be deemed to be fully executed on the latest of the dates of execution as shown below (the "Effective Date").

PURCHASER

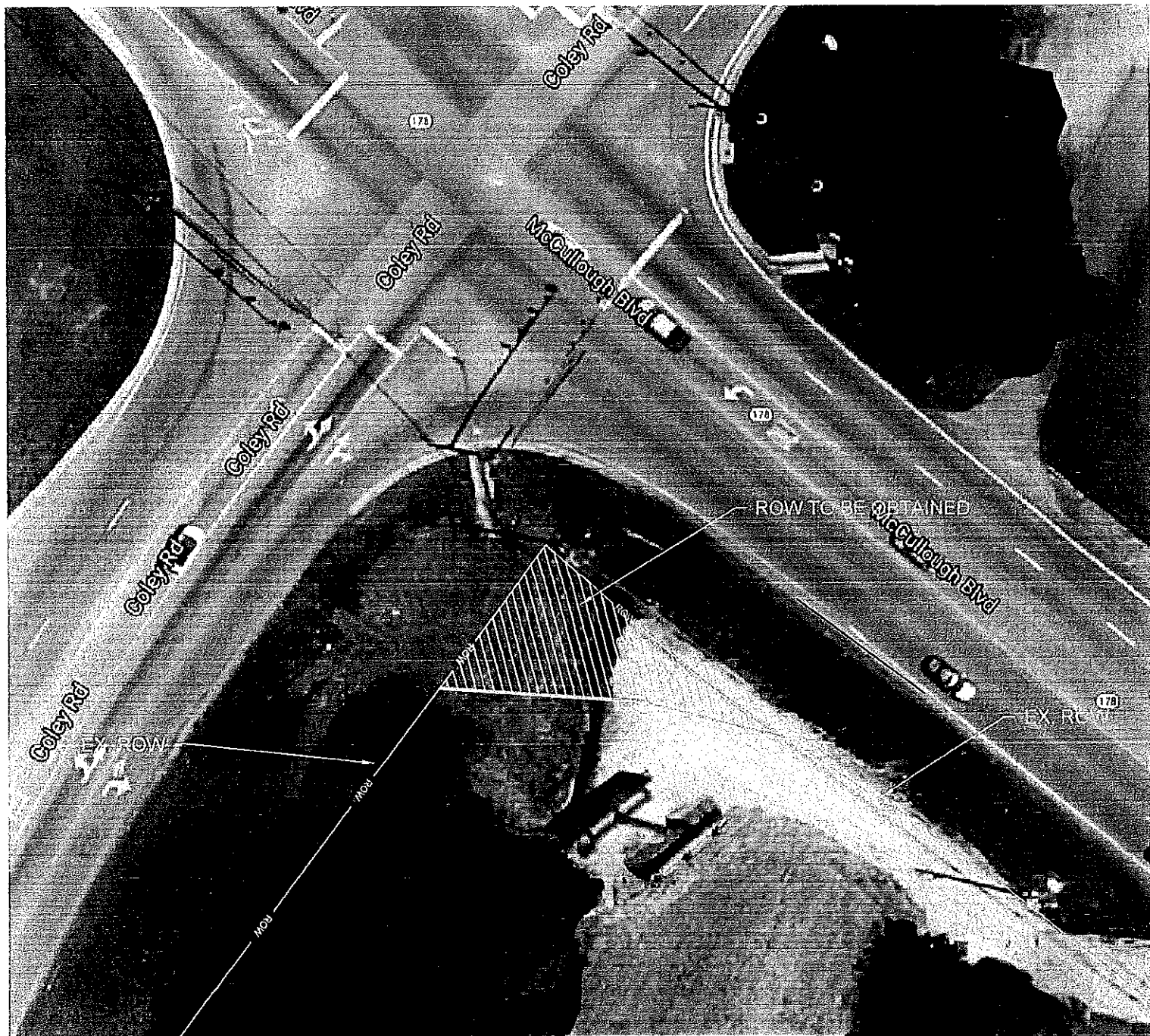
SELLER

JASON L. SHELTON, MAYOR
CITY OF TUPELO, MISSISSIPPI

BONNIE JEAN WEBB
P.O. BOX 65
BELDEN, MS 38826

DATE

DATE





February 27, 2018

Don Lewis, COO
City of Tupelo
P.O. Box 1485
Tupelo, MS 38804

RE: Bonnie Jean Webb Property – ROW McCullough & Coley Intersection
Tupelo, Mississippi, 38804 - Parcel #075G-15-027-00

Dear Mr. Lewis:

I am Ellen Short, a licensed real estate agent/licensed real estate broker/licensed appraiser and have a sufficient understanding of the local real estate market in the Tupelo, Mississippi area, particularly the property of the address listed above.

I understand that the City of Tupelo desires to acquire the attached, described right-of-way from the owner. I have reviewed the legal description, map and location and can give the following opinions regarding a waiver of appraisal valuation:

- 1) The valuation problem is uncomplicated.
- 2) The anticipated value of the proposed acquisition is estimated to be \$10,000 or less.
- 3) Based on the size of the acquisition being square feet and the location of the property, the value of \$10,000 would be just compensation.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, reading "Ellen Short", is written below the word "Sincerely,".

Exhibit

"B"